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Ms A Orgocke  
International Social Service  
American Branch  
390 Park Avenue South  
NEW YORK  
NY 10016

5 - 6 - 96

Dear Ms Orgocke

**SHARP FAMILY**

Your reference is 94 198.

Since receiving your letter dated 29 February 1996 we have had discussions with the Local Department of Foreign Affairs as well as the Department of Justice regarding a reciprocity agreement. Both Departments confirmed that South Africa has already entered into a reciprocity agreement with Florida to enforce child support.

Enclosed please find an extract of the Government notice No. R 1802 of 21 October 1994 as published in the South African Government Gazette, Vol. 352, No. 16030 and printed in Pretoria on 21 October 1994, for your information.

Could you please bring the Government notice to the attention of the Child Support Enforcement Division in Florida and enquire whether they will now be in a position to pursue the child support matter involving the Sharp-family.

Your kind co-operation is appreciated.

Yours sincerely

*F Viviers*

DIRECTOR-GENERAL

REPUBLIC  
OF  
SOUTH AFRICA



REPUBLIEK  
VAN  
SUID-AFRIKA

# Government Gazette Staatskoerant

Regulation Gazette No. 5409 Regulasiekoerant

Vol. 352

PRETORIA, 21 OCTOBER 1994  
OKTOBER 1994

No. 16030

## PROCLAMATION

by the  
Acting President  
of the Republic of South Africa

No. R. 149, 1994

RATIONALISATION OF THE PUBLIC SERVICE;  
AMENDMENT OF THE FINANCE AND FINANCIAL  
ADJUSTMENTS ACTS CONSOLIDATION ACT, 1977  
UNDER SECTION 237 (3) OF THE CONSTITUTION  
OF THE REPUBLIC OF SOUTH AFRICA, 1993

Whereas I consider it necessary for the establishment of an effective administration at the national level of government and effective administrations for the respective provinces that uniform measures, arrangements, practices and procedures regarding guarantees by government in respect of housing loans of persons employed under the Government be established upon rationalisation, in terms of section 237 of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993, hereinafter referred to as the Constitution), of the various public services and administrations referred to in section 236 (1) of the Constitution:

Now therefore, under subsection (3) of section 237 of the Constitution, I hereby amend the Finance and Financial Adjustments Acts Consolidation Act, 1977 (Act No. 11 of 1977), as and to the extent specified in the Schedule hereto.

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## PROKLAMASIE

van die  
Waarnemende President  
van die Republiek van Suid-Afrika

No. R. 149, 1994

RASIONALISERING VAN DIE STAATSDIENS;  
WYSIGING VAN DIE KONSOLIDASIEWET OP  
FINANSIE- EN FINANSIËLE REËLINGSWETTE,  
1977, KRAGTENS ARTIKEL 237 (3) VAN DIE  
GRONDWET VAN DIE REPUBLIEK VAN SUID-  
AFRIKA, 1993

Nademaal ek dit nodig ag vir die instelling van 'n doeltreffende administrasie op die nasionale vlak van regering en doeltreffende administrasies vir die onderskeie provinsies dat eenvormige maatreëls, reël- lings, praktyke en prosedures betreffende regeerings- waarborgs in verband met huislenings van persone in diens van die Regering daargestel word by rasionali- sening, ingevolge artikel 237 van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993, hieronder die Grondwet genoem), van die ver- skeie staatsdienste en -administrasies in artikel 236 (1) van die Grondwet bedoel;

Derhalwe, kragtens subartikel (3) van artikel 237 van die Grondwet, wysig ek hierby die Konsolidasiewet op Finansie- en Finansiële Reëlingswette, 1977 (Wet No. 11 van 1977), soos en in die mate in die Bylae hierby uiteengesit.

16030-1



(4) Neither section 25, nor any such measure, arrangement, practice or procedure referred to in subsection (3) (a) of this section, as was applicable in any part of the Republic immediately prior to the commencement of this section, shall be applied on or after such commencement in relation to any person in the employ of any department or organisational component contemplated in subsection (1) of this section.

(5) The provisions of this section shall apply in the whole of the national territory of the Republic as contemplated in section 1 (2) of the Constitution."

## GOVERNMENT NOTICES

### DEPARTMENT OF JUSTICE

No. R. 1802 21 October 1994

DESIGNATION OF THE STATE OF FLORIDA, UNITED STATES OF AMERICA AS A TERRITORY IN RESPECT OF WHICH THE RECIPROCAL ENFORCEMENT OF MAINTENANCE ORDERS ACT, 1963 (ACT No. 80 OF 1963), SHALL APPLY

Under section 2 (1) of the Reciprocal Enforcement of Maintenance Orders Act, 1963 (Act No. 80 of 1963), I, Christiaan Loedoff Fismer, Deputy Minister of Justice, hereby designate the State of Florida, United States of America as a territory in respect of which the said Act shall apply.

C. L. FISMER,  
Deputy Minister of Justice.

### DEPARTMENT OF LABOUR

DW: VIA VERDERE WYSIGINGS SAADPLEEG-BUNDEL 1994  
REGULASIEKOERANTE

CLOTHING INDUSTRY, ORANGE FREE STATE AND NORTHERN CAPE: RENEWAL OF MEDICAL BENEFIT SOCIETY AGREEMENT

I, Dennis van der Walt, Director: Labour Relations, duly authorised thereto by the Minister of Labour, hereby, in terms of section 48 (4) (a) (ii) of the Labour Relations Act, 1956, declare the provisions of Government Notice No. R. 2247 of 7 August 1992 to be effective from the date of publication of this notice and for the period ending 31 March 1995.

D. VAN DER WALT,  
Director: Labour Relations.

No. R. 1803 21 October 1994

LABOUR RELATIONS ACT, 1956

CLOTHING INDUSTRY, CAPE: RENEWAL OF TRAINING FUND AGREEMENT

I, Dennis van der Walt, Director: Labour Relations, duly authorised thereto by the Minister of Labour, hereby, in terms of section 48 (4) (a) (ii) of the Labour Relations Act, 1956, declare the provisions of Govern-

(4) Nóg artikel 25 nóg enige sodanige maatreel, reëling, praktyk of prosedure bedoel in subartikel (3) (a) van hierdie artikel as wat in enige deel van die Republiek van toepassing was onmiddellik voor die inwerkingtreding van hierdie artikel, is op of na sodanige inwerkingtreding van toepassing met betrekking tot enige persoon in die diens van 'n departement of organisasiekomponent in subartikel (1) van hierdie artikel beoog.

(5) Die bepalings van hierdie artikel is van toepassing in die geheel van die nasionale grondgebied van die Republiek soos in artikel 1 (2) van die Grondwet beoog."

## GOEWERMENSKENNISGEWINGS

### DEPARTEMENT VAN JUSTISIE

No. R. 1802 21 Oktober 1994

AANWYSING VAN DIE STAAT VAN FLORIDA, VERENIGDE STATE VAN AMERIKA AS 'N GEBIED TEN OPSIGTE WAARVAN DIE WET OP WEDERKERIGE AFDWINGING VAN ONDERHOUDSBEVELE, 1963 (WET No. 80 VAN 1963), VAN TOEPASSING IS

Kragtens artikel 2 (1) van die Wet op Wederkerige Afdwinging van Onderhoudsbevele, 1963 (Wet No. 80 van 1963), wys ek, Christiaan Loedoff Fismer, Adjunkminister van Justisie, hierby die Staat Florida, Verenigde State van Amerika aan as 'n gebied ten opsigte waarvan die gemelde Wet van toepassing is.

C. L. FISMER,  
Adjunkminister van Justisie.

### DEPARTEMENT VAN ARBEID

No. R. 1793 21 Oktober 1994

WET OP ARBEIDSVERHOUDINGE, 1956

KLERASIENYWERHEID, ORANJE-VRYSTAAT EN NOORD-KAAPLAND: HERNUWING VAN MEDIESE HULPVERENIGINGGOORENKOMS

Ek, Dennis van der Walt, Direkteur: Arbeidsverhoudinge, behoortik daartoe gemagtig deur die Minister van Arbeid, verklaar hierby, kragtens artikel 48 (4) (a) (ii) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van Goewermentskennisgewing No. R. 2247 van 7 Augustus 1992 van krag is vanaf die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Maart 1995 eindig.

D. VAN DER WALT,  
Direkteur: Arbeidsverhoudinge.

No. R. 1803 21 Oktober 1994

WET OP ARBEIDSVERHOUDINGE, 1956

KLERASIENYWERHEID, KAAP: HERNUWING VAN OPLEIDINGSFONDSOORENKOMS

Ek, Dennis van der Walt, Direkteur: Arbeidsverhoudinge, behoortik daartoe gemagtig deur die Minister van Arbeid, verklaar hierby, kragtens artikel 48 (4) (a) (ii) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van Goewermentskennisgewing No. R. 568

Declaration of Reciprocity / Republic of S. Africa PDCSE  
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OFFICE OF THE ATTORNEY GENERAL



ROBERT A. BUTTERWORTH  
Attorney General  
State of Florida

DEPARTMENT OF LEGAL AFFAIRS

THE CAPITOL

TALLAHASSEE, FLORIDA 32399-1050

September 24, 1991

Mr. Robert B. Williams  
Secretary, Department of  
Health and Rehabilitative Services  
1317 Winewood Boulevard  
Tallahassee, Florida 32399-0700

Dear Secretary Williams:

You have requested this office declare the Republic of South Africa to be a reciprocating state for purposes of Ch. 88, F.S., the Revised Uniform Reciprocal Enforcement of Support Act (1968).

The Attorney General may declare a foreign nation to be a reciprocating state for purposes of Ch. 88, F.S., if he finds that reciprocal provisions are available in the foreign nation for the enforcement of support orders issued in the State of Florida. This office has been supplied by your department with copies of the pertinent provisions of the statutes of the Republic of South Africa relating to the enforcement of support orders.

You state that the Husband and Wife Maintenance Act of the Republic of South Africa provides for procedural and substantive due process which protect the rights of both the custodial and responsible parents in either South Africa or the United States. The act authorizes the enforcement of maintenance orders made in a reciprocating country through a registration process.

You have provided this office with a copy of the Reciprocal Enforcement of Maintenance Orders Act of the Republic of South Africa, hereafter the Act, which provides for the registration of maintenance orders made in proclaimed countries. A proclaimed country is any country or territory designated by the Minister of Justice by notice in the Gazette. Pursuant to s. 3 of the Act:

Whenever a certified copy of a maintenance order made before or after the commencement of this Act against any person by any court in a proclaimed

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Office of the Secretary




Mr. Robert B. Williams  
Page Two

country is transmitted to the Minister through diplomatic channels by any authority of such country recognized for the purpose by the Minister, the Minister or any person acting under his authority shall transmit a copy of the order to a maintenance court, and the order shall, on receipt thereof, be registered by that court in the prescribed manner.

Section 4 of the Act provides for confirmation of provisional maintenance orders made in proclaimed countries. Any maintenance order registered under s. 3 or confirmed under s. 4 of the Act is considered for purposes of ss. 11, 12, and 14 of the Maintenance Act of 1963 to be a maintenance order made under that Act by the maintenance court where the order was registered and confirmed.<sup>3</sup>

Based upon the information provided to this office by the Department of Health and Rehabilitative Services, it appears that reciprocal provisions for the enforcement of support orders issued in the State of Florida are available under the statutes of the Republic of South Africa. I am, therefore, of the opinion that pursuant to s. 88.0405, F.S., the Republic of South Africa may be declared to be a reciprocating state.

Sincerely,



Robert A. Butterworth  
Attorney General

RAB/tgk

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<sup>1</sup> Section 88.0405(1), F.S. And see, s. 88.031(18), F.S., defining "State" for purposes of Ch. 88, F.S., to include "any foreign nation or state of a foreign nation declared pursuant to s. 88.0405 to have similar reciprocal provisions."

<sup>2</sup> See, s. 1 of the Act.

<sup>3</sup> Section 6 of the Act. See, s. 11 (penalties for failure to comply with maintenance order), s. 12 (court ordering payment of maintenance monies by employer on behalf of employee) and s. 14 (notice of change of address of person against whom order has been made) of the Maintenance Act.

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OFFICE OF THE ATTORNEY GENERAL

DEPARTMENT OF LEGAL AFFAIRS

THE CAPITOL

TALLAHASSEE, FLORIDA 32399-1050

ROBERT A. BUTTERWORTH  
Attorney General  
State of Florida

DECLARATION OF RECIPROCITY

*Republic of South Africa*

Pursuant to s. 88.0405, F.S., and for the reasons set forth in the attached opinion which are based upon the information provided to me by the Florida Department of Health and Rehabilitative Services, I hereby declare the Republic of South Africa to be a reciprocating state for purposes of Ch. 88, F.S., the Revised Uniform Reciprocal Enforcement of Support Act (1968) commencing September 24, 1991.

Robert A. Butterworth  
Attorney General

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Office of the Secretary